

PROB 12C
(7/93)

Report Date: February 14, 2013

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

FEB 14 2013

Eastern District of Washington

SEAN F. McAVOY, CLERK
DEPUTY
RICHLAND, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Bernal Nelson Thomas

Case Number: 2:99CR02131-001

Address of Offender

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: 11/17/2000

Original Offense: Second Degree Murder, 18 U.S.C. §§ 1111 and 1153

Original Sentence: Prison - 168 Months
TSR - 60 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: TBD

Date Supervision Commenced: 2/24/2012

Defense Attorney: Richard A. Smith

Date Supervision Expires: 2/23/2017

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

1 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Mr. Thomas was charged with driving under the influence by Benton County District Court, cause number 3Z0163822, on January 20, 2013.

A police report has been requested.

2 **Standard Condition # 11:** The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.

Supporting Evidence: Mr. Thomas failed to report law enforcement contact within 72 hours of being arrested for driving under the influence on January 20, 2013.

On February 6, 2013, a records check was conducted and revealed Mr. Thomas had been arrested for driving under the influence and failed to report law enforcement contact within 72 hours of being arrested.

Prob12C

Re: Thomas, Bernal Nelson

February 14, 2013

Page 2

3 **Special Condition # 21:** You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Mr. Thomas was found under the influence of alcohol on January 20, 2013.

4 **Special Condition # 20:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Thomas failed to submit to a random urinalysis testing at Merit Resource Services on February 7, 2013.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 02/14/2013

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Issuance of a Warrant
☒ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

February 14, 2013

Date